

MEMORANDUM

September 7, 2018

TO: MEMBERS, PORT COMMISSION
Hon. Kimberly Brandon, President
Hon. Willie Adams, Vice President
Hon. Gail Gilman
Hon. Victor Makras
Hon. Doreen Woo Ho

FROM: Elaine Forbes
Executive Director

SUBJECT: Request Authorization to Issue a Request for Proposals to Solicit As-Needed Professional Services for Disposal of Hazardous Waste and Abandoned Marine Vessels, in an amount not to exceed \$1,200,000

DIRECTOR'S RECOMMENDATION: Approve Attached Resolution

EXECUTIVE SUMMARY

Port staff requests Port Commission authorization to advertise a Request for Proposals (RFP) to solicit as-needed hazardous waste and abandoned marine vessel disposal services. These services are required to properly dispose of hazardous waste generally and during an emergency. The successful respondent shall provide all services, labor, materials, and equipment necessary to provide hazardous waste packaging, removal, transportation and disposal-related tasks. The ability for the successful respondent to provide service with as little as four (4) hours of notice is critical. In addition, there are times when highly specialized expertise is required that otherwise does not exist with existing Port personnel resources due to the limited need for such expertise. Due to the nature and variety of hazardous materials found on Port property, it is essential that the Port hire an expert to properly dispose of these materials.

The City's Contract Monitoring Division has assigned a 5% Local Business Enterprise ("LBE") subcontracting goal for the services procured under this proposed RFP. After the evaluation and scoring of qualified consultants, Port staff will recommend award of a professional service contract to the highest-ranked consultant. Staff recommends an RFP to solicit a four-year contract in an amount not to exceed \$1,200,000, with the option to extend the term for one additional year.

THIS PRINT COVERS CALENDAR ITEM NO. 10B

STRATEGIC OBJECTIVE

This contract opportunity will support the goals of the Port's Strategic Plan as follows:

Sustainability

By enhancing the Port's Climate Action Plan by implementing policies to achieve zero waste in operations throughout the Port by 2020 and employing best environmental practices in Port operations.

Livability

By ensuring Port improvements result in advances in the environment and quality of life for San Francisco residents and visitors.

BACKGROUND

Port property is routinely subject to abandonment of potentially hazardous waste such as vehicle batteries, used motor oil and potentially infectious human and/or animal waste/debris. The Port also generates hazardous waste during routine maintenance and property upgrade/renovation activities and provides used oil collection facilities for the Port maritime community at large. The Port also must, on occasion, recover and dispose of abandoned and/or derelict marine vessels. For purposes of safety and regulatory compliance, the Port requires very timely recovery, packaging, transport and disposal of these wastes and marine vessels. Without these services, the Port faces increased exposure to public safety and environmental contamination risks and is likely to incur notices of violation from governmental agencies that regulate safety and environmental risks on Port property.

The Port has procured hazardous waste disposal services through an as-needed Personal Services Contract (#4074-11/12) for the past four years. Marine vessel recovery and disposal services have previously been provided through third party private contractors, State of California Oil Spill and Response (OSPR), US Coast Guard (USCG), and/or Port of San Francisco staff.

This contract will be jointly managed by the Port's Environmental and Maritime personnel.

POTENTIAL SCOPE OF WORK

The selected contractors shall provide all services, labor, materials, and equipment necessary to assess, recover, package, transport and dispose of potentially hazardous waste and abandoned and/or otherwise derelict marine vessels. The specific nature of these activities will vary, however in all cases work will involve hazardous material handling in and around environmentally-sensitive areas. The selected contractors must be able to provide appropriately trained workers capable of working under these circumstances in compliance all applicable federal, state and local regulations and

standards. Contractors must also be capable of responding within four (4) hours to emergencies within this scope of work.

Examples of the anticipated work scope include, but are not limited to:

1. Recover, assess, package, transport, treat and properly dispose of potentially hazardous waste, as well as abandoned, or otherwise derelict marine vessels. Waste may include, but is not limited to excavated soils, building materials, lead and asbestos containing materials, asphalt, concrete, groundwater, wastewater, sludge, used oil, petroleum hydrocarbons, potentially infectious materials (animal and human wastes) and other potentially hazardous and/or unidentifiable waste materials; as well as abandoned or otherwise derelict marine vessels.
2. Perform all items within this work scope on an emergency response basis within four hours of notification.
3. Follow a hierarchy of disposal methods, with the most desirable methods listed first, as follows: reuse, recycling, treatment/neutralization, secondary fuel incineration, destructive incineration, and landfill.
4. Pump out used oil, oily water, and oily sludge from various collection tanks for recycling.
5. Perform overwater fuel and oil transfers and obtain all permits and authorizations required for this work.
6. Provide all services necessary to safely remove abandoned or otherwise derelict marine vessels, including partially and entirely sunken vessels. These services include, but are not limited to assessing and planning safe and effective recovery operations, diving, salvaging, hazardous materials management, safe removal of vessels from water, and towing vessels in the water and via trailer on land.
7. Prepare profiles, manifests, bills of lading.
8. Complete regulatory notifications and certification forms.
9. Comply with all applicable Federal, State and City regulations pertaining to this work scope.
10. Provide all equipment, materials and qualified personnel to perform the above mentioned tasks according to all applicable Federal, State and City regulations.
11. Meet quarterly with the Port's Environmental and/or Maritime staff to discuss performance and continuous improvement for work described herein.
12. Provide lab-pack and/or bulking services using qualified and trained personnel.

13. Ship waste no later than three days after scheduled date.
14. Ensure that all waste and shipping manifests are properly signed and returned to Port as required.

The Port and the selected contractors will work together in determining the scope of each project and/or task performed under this contract, as well as the cost, and scheduling requirements to complete each task before performing work under this contract.

EVALUATION AND SELECTION PROCESS

Port staff proposes a RFP to procure the requested services through a fair and competitive process, facilitated and monitored by the City's Contract Monitoring Division ("CMD"). Port staff and a CMD representative will convene an evaluation panel consisting of at least one Port staff member and two non-Port representatives. The evaluation panel will have expertise in the required fields, knowledge of the project area and objectives, and meet diversity goals as determined by CMD. Port staff expects the evaluation process to take the following steps to review and rank responses to the RFP:

Written Proposal Evaluation, Ranking, and Short-List

After Port and CMD staff review proposals for responsiveness, the panel will score each written proposal based upon criteria included in the RFP. Expected evaluation criteria include an understanding of project objectives, experience of the firm and project staff, and management approach. Scores will be tabulated and ranked to determine short-listed firms.

Oral Interviews

The panel will conduct interviews only with the short-listed firms, which will last approximately 45 minutes and include a firm presentation and responses to a list of standard questions. The evaluation panel members will individually score each firm and a total score from the interview will be tabulated. Final ranking of the short-listed candidates will be based on the cumulative total scores of written proposals and oral interviews.

Contract Negotiation and Award

After the final ranking of firms, Port staff will seek Port Commission authorization to negotiate and enter into an agreement with the highest-ranking firm based upon the Port's scope of work and an acceptable budget. The form of the agreement will be included in the RFP. If staff cannot complete successful negotiations with the highest-ranking firm, Port staff may elect to negotiate with the next highest-ranked firm in descending order.

Local Business Enterprise

It is the goal of the Port to maximize participation of Local Business Enterprises ("LBE") in its contracting opportunities. Potential roles for LBEs in this contract may include

transportation of universal hazardous wastes such as fluorescent lighting and electronic wastes, general trucking services, and provisioning of safety supplies.

The City's Administrative Code Chapter 14B, the Local Business Enterprise and Non-Discrimination in Contracting Ordinance, establishes discounts for LBE prime consultants and empowers the CMD to set a project specific goal for LBE subcontractor participation.

For this proposed professional services contract, the Ordinance establishes rating discounts for LBE prime consultants and joint ventures as follows:

- Five percent (5%) to a Joint Venture with LBE prime contractor participation that equals or exceeds thirty-five percent (35%) but is under forty percent (40%);
- Seven and one half percent (7.5%) to a Joint Venture with LBE prime contractor participation that equals or exceeds forty percent (40%); and
- Ten percent (10%) to an LBE prime contractor or a Joint Venture among LBE prime contractors.

CMD set the LBE subcontracting participation goal for this proposed contract at 5%. The selected prime contractor will be obligated to subcontract a minimum of 5% of the total contract value to certified LBE firms.

SCHEDULE

The tentative RFP and contract award schedule is:

<u>Activity</u>	<u>Target Date</u>
Port Commission Authorization to Advertise	September 11, 2018
Commence RFP Advertisement	September 27, 2018
Pre-submittal Meeting	October 10, 2018
Proposal Due Date	November 2, 2018
Port Commission Request to Award Contract	December 11, 2018
Notice to Proceed	January 4, 2019

FUNDING

Funding for these services will be allocated on an annual basis through the Port operating budget. The Port maintains an annual project dedicated to management of abandoned hazardous materials and illegal dumping (Authority #16306; Subfund 23690). Vessel recovery expenses will be partially reimbursed through a grant which the Maritime Division previously received from the State of California Department of Parks Division of Boating and Waterways (Surrendered and Abandoned Vessel Exchange (SAVE) Grant) (Port Commission Resolution Number 18-44) in the amount of \$80,000 (Authority #10001; Subfund 24120).

SUMMARY

Port staff is ready to seek competitive proposals for as needed hazardous waste and abandoned marine vessel disposal services. Therefore, staff requests that the Port Commission authorize staff to advertise a Request for Proposals, soliciting hazardous waste and abandoned marine vessel recovery and disposal services.

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and

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**PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
RESOLUTION NO. 18-49**

WHEREAS, In 2014, the Port issued a Request for Proposals (“2014 RFP”) for “As-Needed Hazardous Waste Disposal Services” to manage hazardous wastes generated by Port operations and that are abandoned on Port property; and

WHEREAS, The Port’s current As-Needed Hazardous Waste Disposal Services contracts executed pursuant to the 2014 RFP have provided a timely and cost-effective vehicle for the provision of professional services, but those contracts have expired; and

WHEREAS, Port staff requires consultant expertise and assistance to recover, package, transport, and dispose of hazardous waste abandoned and generated by Port operations and to dispose of marine vessels abandoned on Port property; and

WHEREAS, Port staff seeks Port Commission authorization to issue a Request for Proposals for Hazardous Waste and Abandoned Marine Vessel Disposal (“RFP”) to award a contract to a consulting team for such contract services; and

WHEREAS, The RFP solicitation will incorporate an 5% sub-consulting goal for Local Business Enterprises subcontractor participation as recommended by the Contract Monitoring Division; now, therefore be it

RESOLVED, That the San Francisco Port Commission hereby authorizes Port staff to issue a Request for Proposals to solicit professional as-needed services for disposal of hazardous waste and abandoned marine vessels, in an amount not to exceed \$1,200,000, with a four-year term and the option to extend the term for one additional year.

I hereby certify that the foregoing resolution was adopted by the Port Commission at its meeting of September 11, 2018.

Secretary